

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Irrigation & C.A.D. Department – Creation of Grievance Redressal Cell in the Office of the Commissioner (R&R), Irrigation & C.A.D. Department – Orders – Issued.

IRRIGATION & C.A.D.(PW:LA.IV-R&R) DEPARTMENT

G.O.Ms.No. 62,

Dated: 04-06-2009.

Read the following:-

- 1) G.O.Ms.No.68, Irrigation & CAD (PW:LA.IV-R&R) Department, Dated 8-4-2005.
- 2) From the Commissioner (R&R), Irrigation & CAD Department, Secunderabad, Letter No.257/CRR/SS/09, dated 6-4-2009.

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ORDER:

In the circumstances reported by the Commissioner (R&R), Irrigation & CAD Department, Secunderabad in the letter 2nd read above, Government after careful examination of the matter hereby permitted to creation of Grievance Redressal Cell in the Office of the Commissioner (R&R), Irrigation & C.A.D. Department for implementation of G.O. 1st read above in the Paras 7.1 (c), 7.2, 7.3 & 7.4 of G.O.Ms.No.68, Irrigation & CAD (PW:LA.IV-R&R) Department, dated 8-4-2005 the procedure regulating the business of the R&R Committee, a grievance Redressal Mechanism for redressal of grievances of the PAFs is constituted as detailed below:

7.1 (c) PROCEDURE REGULATING THE BUSINESS OF THE R&R COMMITTEE.

BUSINESS OF R&R COMMITTEE AT PROJECT LEVEL:

- Receive the complaints from PAFs / PDFs & acknowledge.
- Arrange for verification through R&R Officer / Special Deputy Collector (LA)/ Executing Agency / or any other officer / team of officers, etc as decided by the Project Administrator.
- Hear and adjudicate the petitions relating to benefits under R&R plan / scheme.
- Maintain proper records relating to receipt and disposal of grievances through computerization.
- Issue detailed proceedings on the decision taken on each of the complaints and monitor its implementation.
- Monitor and review the progress of implementation of R&R plan / scheme.

PROCEDURE FOR REDRESSAL OF GRIEVANCES BY R&R COMMITTEE:

• GROUNDS OF COMPLAINTS:

- Conduct of Socio-Economic Survey.
- Non-payment or inordinate delay in the payment of Individual benefits.
- Issues related to identification of BPL Category.
- Issues related to submergence of Houses / structures and identification of displaced families.
- Non-payment or under payment towards valuation of structures.
- Issues related to land to land allotment.

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- Non-payment or under payment of compensation towards acquired lands.
- Issues related to categorization of farmers into small or marginal farmers.
- Wage compensation related grievances.
- Identification of site for establishing R&R Center.
- Issues related to provision of or quality of basic amenities / infrastructure at R&R Center.
- Any issue in violation of the provisions of Government of Andhra Pradesh Resettlement & Rehabilitation Policy, 2005.

RECEIPT OF COMPLAINTS:

- Any Project affected family has a grievance on any of the grounds mentioned at grounds for complaint may make a complaint to the respective R&R Committee at Project Level.
- The complaint may be made in writing or orally / telephone / e-mail / online / Fax / Post.
- If a complaint is not given in writing, the same has to be recorded in front of the complainant and documented.
- The R&R Committee may also take up grievances appearing in newspapers or represented by Elected People's Representatives.
- Any complaint forwarded by the state Government or Commissioner (R&R), shall also be entertained for disposal / redressal.

VERIFICATION OF COMPLAINTS & PASSING OF ORDERS:

- Every Complaint received shall be acknowledged.
- Call for the information required from the relevant authorities.
- Call for the record, if any.
- Fix up a date for hearing and to issue notice of hearing to the complaint and ensure that he / she receives it.
- Cause verification of the documents on which the complaint is relied upon.
- In case of issues pertaining to Scheduled Tribes, verification of caste certificated issued by competent authority is essential.
- If required, a field verification has to be conducted or to cause an inspection by the concerned authorities at the field level.
- A speaking order to be passed based on the material evidence provided.
- Every complaint shall be decided within 30 days from the date of receipt of the complaint.
- A copy of the orders passed shall be sent to all the parties concerned
- Every such order shall be signed under the date and seal of the Chairman of the R&R Committee, i.e., Project Administrator.

GRIEVANCE REDRESSAL CELL AT OFFICE OF THE COMMISSIONER RESETTLEMENT & REHABILITATION

- As per Para 7.2 of the Government of Andhra Pradesh Policy on Resettlement and Rehabilitation, the Commissioner for Resettlement & Rehabilitation will Chair the Cell.
- The Chairperson of the cell is assisted by the following Secretarial Services.
 - An Officer of the Cadre of Joint Director from the Commissionerate.
 - A Superintendent.
 - An Office Assistant / Data Entry Operator.

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- **COMPLAINTS:**

Any Project affected family, if aggrieved, for not being offered the admissible R&R benefits as provided under the Policy, may move a complaint for redressal of this grievance.

An appeal may also be made on the decision of the R&R Committee, if the PAF feels that the grievance is not redressed to his satisfaction within the proviso of the Policy. In this case an appeal may be preferred before this authority not later than 30 days from the date of receipt of orders by the R&R Committee.

POWER OF THE GRIEVANCE REDRESSAL MECHANISM:

CHAIRPERSON OF THE CELL

- **Power to call for Information**
 - For the purpose of carrying out his duties the chairperson of the cell may call for any information or ask to furnish the relevant record / copies of documents from the Project Administrator or all the proceedings of the R&R Committee.
 - May constitute a committee with Officers concerned to conduct an enquiry or inspection into the allegations or complaints or grievances received from the PAFs, if required.
 - Have power to consider / dispose of the grievances against the decision of the administrator / R&R Committee at Project Level.
- **Authority to delegate the administrative powers and duties**
 - The commissioner for resettlement and Rehabilitation may, by order in writing, delegate such of the administrative power conferred and duties imposed on him by or under the Policy to any officer not below the rank of Joint Collector / Joint Director.

FUNCTIONS OF THE GRIEVANCE REDRESSAL MECHANISM

- Every complaint or grievance so received shall be recorded and numbered.
- A date for hearing shall be fixed and intimated to the complainant and the Project Administrator in writing.
- In case, an enquiry or inspection is deemed necessary by the Commissioner / chairperson, the committee may be constituted and such committee so constituted shall inform all the parties concerned the date of enquiry or inspection in writing.
- All the facts pertaining to the grievance or complaint shall be recorded upon verification.
- The Commissioner / Chairperson shall take into account the evidence placed before him, proviso of the Policy, applicable Laws in force, guidelines issued by the Government from time to time and such other factors which in his opinion are relevant to the complaint.
- Appropriate orders shall be passed by the Commissioner / Chairperson with the reasons for passing the orders.
- The Commissioner / Chairperson of the Grievance redressal Mechanism shall have the power to consider and dispose of all complaints relating to resettlement and rehabilitation against the decision of the administrator / R&R Committee at Project Level and issue such directions as deemed fit for the Redressal of such complaints / grievances.

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- A copy of the orders so passed shall be sent to the complainant and the Project administrator / R&R Committee at Project Level.
- Also, the Grievance Mechanism shall have the Appellate Authority on the decisions of the Project Administrator / R&R Committee. Having given a reasonable opportunity of being heard:
 - Dismiss the appeal; or
 - Allow the appeal and set aside the orders; or
 - Remand the matter to the PA / R&R Committee for fresh disposal in accordance with such directions as the Commissioner may consider necessary or proper; or
 - Modify the orders and pass such directions as may be necessary to give effect to the orders so modified; or
 - Pass any other order as may deem fit.

REJECTION OF COMPLAINTS:

- The Commissioner / Chairperson may reject a complaint at any stage if it appears to him that the complaint made is-
 - Frivolous, vexatious, mala fide; or
 - Without any sufficient cause; or
 - That is not pursued by the complainant with reasonable diligence; or
 - In the opinion of the Commissioner there is no loss or damage or inconvenience caused to the complaint; or
 - Beyond the pecuniary jurisdiction of the Commissioner.
- The Commissioner may reject a complaint at any stage if after consideration of the complaint and evidence produced before, the Commissioner is of the opinion that the nature of the complaint requires consideration of elaborate documentary and oral evidence and the proceedings before the Commissioner are not appropriate for adjudication of such complaint.

2. The Commissioner (R&R), Irrigation & CAD Department shall take action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**SHAILENDRA KUMAR JOSHI,
PRINCIPAL SECRETARY TO GOVERNMENT (PROJECTS)**

To

The Commissioner (R&R), Irrigation & CAD Department, Secunderabad.

All the District Collectors in the State.

All the Joint Collectors & Project Administrators in the State.

All the Special Collector (LA) in the State.

The Engineer-in-Chief (AW), Irrigation & C.A.D.Department, Hyderabad.

The Engineer-in-Chief (Irrigation),

Irrigation & C.A.D.Department, Hyderabad.

All the Chief Engineers of Irrigation & C.A.D.Department.

SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER